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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

In re: EDWARD TOLEDO MONSON JEANICE G. MONSON Debtor.	Case No. 14-21908 Chapter 13 Hon. Joel T. Marker
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**TRUSTEE'S EX PARTE MOTION FOR ENTRY OF ORDER DENYING DEBTOR'S
MOTION TO VACATE DISMISSAL**

Kevin R. Anderson, Chapter 13 Trustee, by and through counsel, hereby files an ex parte motion to deny the Debtor's Motion to Vacate Dismissal ("Motion to Vacate") filed on January 23, 2015. In support thereof, the Trustee asserts as follows:

1. The Debtor's case was dismissed on December 18, 2014 pursuant to the Trustee's Motion to Dismiss for Non-Payment filed on December 2, 2014. The Debtor did not respond to the Trustee's Motion to Dismiss and the case was dismissed.
2. The Debtor filed the Motion to Vacate on January 23, 2015. The Motion to Vacate was set for hearing on February 25, 2015 with an objection deadline of February 20, 2015.

3. The Trustee filed a Conditional Objection to the Motion to Vacate on January 30, 2015 stating: *The Debtor is delinquent 1.0 plan payment in the amount of \$1,469. The Trustee requests that the delinquency be cured prior to the hearing on the motion.*

4. As of the date of this Ex Parte Motion, the Debtor's plan payments are delinquent \$2,938.00 (2.0 plan payments).

5. The Trustee cannot proceed with administration and closing of the case unless the Motion to Vacate is resolved.

6. The Trustee requests that the Motion to Vacate be denied as the Debtor has not cured the plan payment delinquency prior to the hearing on the Motion to Vacate as requested in the Trustee's Conditional Objection.

WHEREFORE, the Trustee requests that the Motion to Vacate Dismissal be denied and the case remain dismissed.

DATED: March 2, 2015.

/s/ Sarah L. Olson
Sarah Olson, Esq.
Attorney for Chapter 13 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2015, I electronically filed the foregoing Trustee's Response with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users and will be served through the CM/ECF system.

HAROLD H. ARMSTRONG, ESQ.
ECF NOTIFICATION

The undersigned hereby certifies that on March 2, 2015, a true and correct copy of the foregoing paper was addressed to the following persons and deposited in the U.S. Mail, first-class postage prepaid.

EDWARD TOLEDO MONSON
4867 GRAND VIEW PEAK DRIVE
HERRIMAN, UT 84096

/s/ slo
Office of the Chapter 13 Trustee